

Remarks/Arguments:

Claims 1-17 are pending in the instant application. In the Office Action dated January 13, 2005, the Examiner has rejected claims 2, 8 and 9 under 35 U.S.C. § 112, second paragraph, as lacking antecedent basis for an instance of the term “the subscriber”. The Examiner has made final a rejection to claims 1-5 and 7-17 under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,878,338 to Alperovich et al (hereinafter, Alperovich) in view of U.S. Patent No. 5,473,671 to Partridge, III (hereinafter, Partridge), and has further rejected claim 6 as obvious in view of the combination of Partridge, Alperovich, and U.S. Patent No. 6,487,600 to Lynch (hereinafter, Lynch).

Reconsideration of the rejection of the claims is respectfully solicited in light of the following remarks. Entry of this amendment is requested as it is asserted to put the claims in condition for allowance, and failing that, it further reduces the number of issues for any potential appeal by overcoming at least the 35 USC § 112 rejections.

Claims 1 through 7 and 9 through 17 remain in the application. Claims 2 and 9 are amended herein to overcome the Examiner’s rejection as to antecedent basis. The independent claims 1, 12, 15 and 17 have been amended without prejudice. The grounds for the amendments can be found in the disclosure, for example, on page 9, line 34 to page 10, line 16, pertaining to the service database and the service control network entity, and page 8, lines 1 - 13. Claim 8 has been cancelled. Claim 3 is also amended to clearly maintain its distinction over claim 1, in light of the changes made to claim 1.

Applicants respectfully submit that claims 1, 12, 15 and 17 are patentable over Partridge (US 5,473,671) in view of Alperovich (WO 98/05153).

Partridge and Alperovich both fail to disclose the following combination of features *“allowing the second subscriber to define a set of calling identities in the part of the subscriber information stored in a service database accessed by a second network element for defining a set of allowed calling identities for incoming forwarded calls from another subscriber, said allowed calling identities being either those included in or excluded from the set”*.

Alperovich ('US 5,878,338) discloses a method and equipment, by means of which is possible to selectively bar incoming forwarded calls. In the method a switch registers the forwarding number from the last received call. The subscriber can request the forwarding number from the last received call or call attempt to be recorded on a list of disallowed forwarders. Subsequently, forwarded calls where the forwarding number belongs to the list of disallowed forwarders are rejected. The salient difference between Alperovich and the patent application at hand is that Alperovich relies on the identity of the forwarder, not of the caller. This entails certain problems avoided by the method claimed in the patent application at hand; namely, that the forwarding number may not be carried in all call signaling systems such as analog call signaling system (for instance, pulse signaling). Most simple call signaling systems only carry the dialed number.

Partridge (US 5,473,671) discloses a system for restricting incoming calls in a situation where call forwarding has been defined from an original called subscriber to a mobile subscriber. The original called subscriber and the mobile subscriber are typically the same actual person. A list of allowed caller identities is defined for the original called subscriber. The list is stored in association with subscriber data that is maintained in a subscriber switch or equipment, which receives incoming calls on behalf of the original called subscriber. Whenever there is an incoming call for the original called subscriber, it is checked if the caller identity belongs to the list of allowed caller identities. If the caller identity passes the test, the call is forwarded to the mobile subscriber. Thereupon, the call is routed to a cellular network. In Partridge the incoming calls are not already forwarded as they arrive to the subscriber switch or equipment. Thus, Partridge teaches a check prior to the actual forwarding.

The Examiner admits that Alperovich fails to suggest the feature above in the form previously presented. The applicant submits that Partridge also fails to teach the feature as amended. Partridge fails to suggest that the calling identities are defined particularly for incoming forwarded calls from another subscriber. Partridge fails to teach the provision for calls that have already been forwarded as they arrive to the entity in charge of restricting incoming calls. The distinction between the screening of

a direct incoming call before forwarding and a forwarded incoming call must be made, since these two cases have different requirements, because the original called party is different. The cases have different priorities. For example, a direct incoming call from a customer or a superior may have high priority whereas such a call as forwarded from a colleague has lower priority.

Partridge and Alperovich both fail to disclose the following feature "*determining in the second network element whether the caller identity of an incoming forwarded call belongs to the allowed identities by comparing the caller identity with said set of caller identities, in response to receiving the call establishment signaling in the first network element and said first network element contacting said second network element*".

Alperovich is cited by the Examiner on the previously presented version of the feature mentioned above. Alperovich fails to disclose that the second network element determines whether the caller identity of an incoming forwarded call belongs to the allowed identities. Applicant respectfully points out that the Examiner's interpretation of teachings in Alperovich is out of the context. In column 2, lines 39-40, Alperovich does say that "*the correlated directory number from which only forwarded calls are to be blocked is retrieved*", but this is immediately followed by "*the retrieved directory number is compared against the forwarded-from number contained in the incoming call set-up signal*". The phrase "*directory number from which a forwarded call is to be blocked*", in the context of column 2, lines 41 – 43, in fact does not render it clear for an expert in the field that the directory number may be also a calling party number instead of the forwarded-from number.

Due to the reasons indicated above, the applicants respectfully submit that also claims 12, 15 and 17 comprising substantially same subject matter detailed above are also patentable over Partridge in view of Alperovich.

Claims 2-11, 13-14 and 16 depend on claims 1, 12 and 15 respectively, either directly or via intervening claims, and are therefore also patentable over Partridge in view of Alperovich.

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For all of the foregoing reasons, it is respectfully submitted that all of the claims present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested.

Respectfully submitted:



Gerald L. Stanton
Reg. No.: 46,008

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Date

Customer No.: 29683
HARRINGTON & SMITH, LLP
4 Research Drive
Shelton, CT 06484-6212
Phone: (203) 925-9400
Facsimile: (203) 944-0245
Email: gstanton@hspatent.com

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Date


Debra A. Pongetti